

Service Date: January 29, 1990

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

* * * * *

IN THE MATTER Of The Application)	UTILITY DIVISION
Of TOWN OF KEVIN GAS For Authority)	DOCKET NO. 90.1.10
To Increase Charges For Natural)	INTERIM ORDER NO. 5460
Gas Service.)	
_____)	

FINDINGS OF FACT

1. TOWN OF KEVIN GAS (Applicant) applied to this Commission for an order authorizing an increase in the rates Applicant charges for natural gas service. The application sought authority to increase rates in order to reflect all cost increases resulting from The Montana Power Company's (Company) Docket Nos. 89.12.53 and 89.12.54.

2. On January 25, 1990, the Commission's Order No. 5454 granted Montana Power Company a natural gas rate increase.

3. Order No. 5454 will increase purchased gas costs to Applicant.

CONCLUSIONS OF LAW

1. Applicant is a "public utility" within the meaning of Section 69-3-101, MCA.

2. The Montana Public Service Commission properly exercises jurisdiction over the Applicant's Montana operations pursuant to Title 69, Chapter 3, MCA.

3. Section 69-3-304, MCA, provides in part, "The Commission may, in its discretion, temporarily approve increases or decreases pending a hearing or final decision."

4. The rate levels and spread approved herein are reasonable. The rebate provisions of Section 69-3-304, MCA protect ratepayers in the event that any revenue authorized by this order are found to be unjustified in the final order in this Docket.

ORDER

1. Applicant is hereby granted interim relief reflecting Findings of Fact in this Order.

2. Such relief is to become effective for services rendered on and after February 1, 1990, and remain in effect until such time as a final decision is reached in this matter.

3. The rates shall be collected upon a constant uniform cents per Mcf basis.

4. Interim revenues granted herein are subject to rebate should the final order in this Docket disapprove this interim revenue.

DONE IN OPEN SESSION at Helena, Montana this 25th day of January, 1990 by a 5 - 0 vote.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

CLYDE JARVIS, Chairman

HOWARD L. ELLIS, Commissioner

WALLACE W. "WALLY" MERCER, Commissioner

DANNY OBERG, Commissioner

JOHN B. DRISCOLL, Commissioner

ATTEST:

Ann Peck
Commission Secretary

(SEAL)

NOTE: Any interested party may request that the Commission reconsider this decision. A motion to reconsider must be filed within ten (10) days. See 38.2.4806, ARM.